**THE HON'BLE SRI JUSTICE BILAL NAZKI**
**AND**
**THE HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO**

**WRIT PETITION No.6165 of 2006**

**DATED 08-03-2007**

**Between**:

M/s.Gammon India Limited,
Polvoncha, Khammam District,
rep. by its Project Manager.

…**Petitioner**

And

1.The Assistant Commissioner(CT) INT & LTU,
Warangal Division, Warangal and others.

…**Respondents**

**The Hon'ble Sri Justice Bilal Nazki**
**and**
**The Hon'ble Sri Justice Nooty Ramamohana Rao**

**WRIT PETITION No.6165 of 2006**

**Order:** *(Per the Hon'ble Sri Justice Bilal Nazki):*

Heard the learned Counsel for the parties.

The controversy is that pending appeal before the Sales Tax Appellate Tribunal, the first respondent-Assistant Commissioner issued the notice dated 23-03-2006 demanding payment of the balance disputed tax for the year 2001-2002.

We have gone through the record. We feel that the interest of justice would have been met if stay was granted pending appeal before the Tribunal, subject to deposit of half of the balance disputed tax liability. Therefore, we set aside the impugned notice and direct that half of the balance disputed tax liability shall be paid by the petitioner within a period of four weeks. For four weeks, there shall be an unconditional stay and the stay shall continue till disposal of the appeal, provided the amount is deposited within four weeks. The deposit of amount shall be without prejudice to the rights of the petitioner in the appeal.

Writ Petition is disposed of accordingly. No costs.

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(***Bilal Nazki, J***)

**Dated 8th March, 2007**

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(***Nooty Ramamohana Rao, J***)

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